

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

J.C. Penney Corporation, Inc.,

Plaintiff,

Civil No. 09-mc-48 (RHK/JJK)

vs.

**DISQUALIFICATION AND  
ORDER FOR REASSIGNMENT**

Samuels Jewelers, Inc., Rogers  
Ltd., Inc., Whitehall Jewelers, Inc.,

Defendants.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

**IT IS HEREBY ORDERED**, that pursuant to this Court's Assignment of Cases Order dated December 1, 2008, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be filed in the above-captioned case.

Dated: June 24, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge